

FLIESLER MEYER LLP**INTELLECTUAL PROPERTY LAW**

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4158
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

RECEIVED
CENTRAL FAX CENTER

MAY 03 2004

OFFICIAL

TO: Examiner Khoa H. Tran – USPTO [Art Unit 3634]

FAX NO.: (703) 872-9327

FROM: Daniel J. Burns

RE: Appln No. 09/625,228; Amendment After Final

DATE: May 3, 2004 Total Pages : 17

Original will follow by mail: No

If you do not receive all of the pages, please call Brenda Dolly at 415.362.3800.

Dear Examiner Tran:

Following is a Response to Office Action after final that was previously faxed to the USPTO on March 15, 2004. This Response was faxed well before the May 4, 2004 due date in order to provoke an Advisory Action. To date, we have not received a reply from the Patent Office; however, we did receive an "Auto-Reply Facsimile Transmission" receipt (copy enclosed) stating that the Response was received in the Patent Office. Would you please confirm that you have indeed received this Response.

Thank you.

Regards,

Daniel J. Burns

This facsimile is intended only for the addressee and those authorized by the addressee to receive it. Any use, dissemination, distribution or copying of this facsimile by any others is prohibited. Any others receiving this facsimile are requested to notify FLIESLER MEYER LLP immediately by telephone or fax and to return the original facsimile to FLIESLER MEYER LLP.

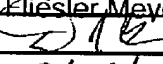
PTO/SB/21 (02-04)

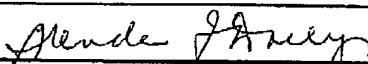
Approved for use through 6/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/625,228	
	Filing Date	July 24, 2000	
	First Named Inventor	Charles E. Taylor	
	Art Unit	3634	
	Examiner Name	Khoa H. Tran	
Total Number of Pages in This Submission	15	Attorney Docket Number	SHPR-01048US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): The Commissioner is authorized to charge any fees to Deposit account No. 06-1325
Remarks Amendment transmitted via facsimile to: Examiner Khoa H. Tran (703) 872-9327 No fee is due.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Daniel J. Burns	
Signature	Eliasler Meyer LLP 	
Date	3/15/2004	
Customer Number: 23910		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Brenda J. Dolly		
Signature		Date	3/15/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No: SHPR-1048US1 SRM/DJB
 djb/shpr/1048US1 transmittal 2-04-2004 amendment.pdf

RECEIVED
CENTRAL FAX CENTER

003

MAY 03 2004

OFFICIAL

RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE - EXAMINING GROUP [3634]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Charles E. Taylor

Appln. No.: 09/625,228

Confirm. No.: 6295

Filed: July 24, 2000

Title: MODULAR RACK FOR COMPACT DISCS

PATENT APPLICATION

Art Unit: 3634

Examiner: Khoa H. Tran

Customer No. 23910

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile
transmitted to: Examiner Khoa H. Tran, at: (703) 872-9327 (15 Pages)
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450, on Mar 15, 2004

Brenda J. Dolly (Signature)
Name: Brenda J. Dolly
Signature Date: Mar 15, 2004

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is in reply to the Final Office Action mailed February 4, 2004. Please
amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this
paper.

Remarks/Arguments begin on page 13 of this paper.

- 1 -

Attorney Docket No.: SHPR-01048US1 SRM/DJB
MADBurnsClient Matters\shp\1048\1048US1\1048US1 RFOA 02-04-2004.doc